

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SHERYL HUBBELL,

Plaintiff,

v.

Case No. 14-13897
HON. GEORGE CARAM STEEH

FEDEX SMARTPOST, INC.,

Defendant.

ORDER DENYING PLAINTIFF'S MOTION
FOR RECONSIDERATION (DOC. 95)

This matter is presently before the Court on plaintiff Sheryl Hubbell's motion for reconsideration of the Court's Opinion and Order granting in part and denying in part plaintiff's motion for entry of judgment, costs, attorney's fees and interest. (Doc. 92). For the reasons stated below, plaintiff's motion for reconsideration is DENIED.

Local Rule 7.1(h)(3) of the Local Rules of the United States District Court for the Eastern District of Michigan provides:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties and other persons entitled to be heard on the motion

have been misled but also show that correcting the defect will result in a different disposition of the case.

Plaintiff requests that the Court reconsider its decision to award plaintiff \$157,733.75 in attorney's fees. Plaintiff requests the Court grant her the figure she initially requested. See (Doc. 76 at PageID 3). Plaintiff suggests that the Court should have awarded the requested figure simply because defendant did not file a response in opposition to this request. The Court disagrees. Plaintiffs are not entitled to the amount requested, but rather, a reasonable attorney's fees figure. See 42 U.S.C. § 2000e-5(k) ("the court, *in its discretion*, may allow the prevailing party . . . a *reasonable* attorney's fee") (emphasis added). The Court conducted a thorough analysis to determine a reasonable fee for plaintiff's attorneys based on their work in this case.

In her motion to reconsider, plaintiff argues that her requested fee is reasonable. Each of these arguments were previously raised in plaintiff's motion for entry of judgment, costs, attorney's fees and interest. (Doc. 76). The Court considered and ruled on these arguments in its March 20, 2018 Order. (Doc. 92). Plaintiff has not demonstrated a palpable defect by which the Court and the parties

have been misled. As such, plaintiff's motion for reconsideration is DENIED.

IT IS SO ORDERED.

Dated: June 4, 2018

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on June 4, 2018, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk